

## REMARKS

Reconsideration of this application and allowance of the claims is respectfully requested.

A one month extension of time is requested to respond to the Office Action, so that the due date will be August 15, 2005. A check for \$120.00 is enclosed as the extension fee.

In response to the claim rejection under 35 USC 112, it is submitted that the term "close similarity" is a term that is entirely proper and definite for the particular art in question, such as the art of electronic fingerprint recognition. As it is believed the examiner knows, electronic fingerprint recognition systems are currently known and commercially available. It is also believed that the examiner is aware that a fingerprint can be deemed as recognized, either by inspection by an expert or by electronic inspection, even if there is not an absolute match. Rather, a small scab or scar, a piece of stain or dirt, or a fleck of loose skin can slightly change one of the images of the fingerprint without the loss of fingerprint identification, because experts use a standard of "close similarity", in this particular field, rather than absolute, identical similarity. Accordingly, it is submitted that the term "close similarity" is proper, comprising that level of close similarity which experts in the field of fingerprint identification, for example, normally use.

Turning to the rejection under 35 USC 102, claims 1-22 and 24-26 are deemed to be anticipated by Bradford et al. U.S. Patent No. 6,612,928.

A Declaration Under 37 CFR 1.131 is enclosed, in which the inventor shows his invention date is prior to the July 17, 2001 filing date of Bradford et al.

It is submitted that these facts are sufficient to demonstrate an invention date that is prior to the filing date of Bradford et al. As such, it is requested that Bradford et al. be withdrawn as a reference.

However, it is also submitted that Bradford et al. does not teach or make obvious the invention of this application. As stated on page 3 of the latest Office Action, the examiner refers to column 33, lines 27-29 and column 34, lines 21-29 as allegedly disclosing the sensing of biometric data through a button as it is pressed by the game player, with the button being transparent.

Turning to these specific citations in columns 33 and 34 of Bradford et al., it is submitted that the concept claimed in this application is not clearly taught. As stated at column 33, lines 27-29: "Each time the player hits the play button they simultaneously touch the fingerprint reader and play continues."

It is submitted that this teaching simply does not teach the concept of sensing the biometric data "...directly through said button as it is pressed by the game player", as called for by independent claim 1, for example. Method claims 11 and 17 are of similar scope in this aspect of the invention, as is claim 7.

For example, the cited column 33 disclosure of Bradford et al. is consistent with the idea of a play button that is next to a fingerprint reader, or linked to it, so that as the button is pressed, the separate fingerprint reader is activated for reading the print of another finger which is laid against it.

Similarly, in column 34, lines 21-29 of Bradford et al., it is submitted that what is taught is a linked play button and fingerprint reader in a single, physical combination,

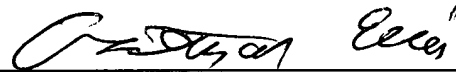
which implies a fingerprint reader that is adjacent to the button, and reads one finger, while another finger is pressing the button.

To the contrary, as claimed herein, the fingerprint reading takes place "directly through the button" with the button being typically transparent (although the button could be opaque to visible radiation and transparent to another form of radiation used for the biometric scan).

Accordingly, it is submitted that a significant concept of this invention, covered by the claims, is not taught in Bradford et al. Furthermore, the invention of this application was made in the United States prior to the filing date of Bradford et al. Thus, withdrawal of the rejection utilizing Bradford et al. is respectfully requested.

Respectfully submitted,

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Registered Attorney for Applicant  
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